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UNITED STATES MAGISTRATE COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. 3 05 70551 MAG
)	
Plaintiff,)	PROPOSED ORDER AND
)	STIPULATION FOR CONTINUANCE
v.)	FROM MAY 25, 2006 TO JUNE 1, 2006
)	AND EXCLUDING TIME FROM THE
ANTHONY TRAVIS,)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A)) AND
Defendant.)	WAIVING TIME LIMITS UNDER RULE
)	5.1

With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling an arraignment or preliminary hearing date of June 1, 2006 at 9:30A.M. before the duty magistrate judge, and documenting the defendant's waiver of the preliminary hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from May 25, 2006 to June 1, 2006. The parties agree, and the Court finds and holds, as follows:

1. The defendant has been released on his own recognizance.
2. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv) to provide continuity of counsel and reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

3. The defendant waives the time limits of Federal Rule of Criminal Procedure 5.1 for preliminary hearing.

4. Counsel for the defense believes that postponing the preliminary hearing is in his client's best interest, and that it is not in his client's interest for the United States to indict the case during the normal 20-day timeline established in Rule 5.1.

5. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, these grounds are good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1. Given these circumstances, the Court finds that the ends of justice served by excluding the period from May 25, 2006 to June 1, 2006, outweigh the best interest of the public and the defendant in a speedy trial. § 3161(h)(8)(A).

6. Accordingly, and with the consent of the defendant, the Court (1) sets a preliminary hearing date before the duty magistrate judge on June 1, 2006 at 9:30A.M., and (2) orders that the period from May 25, 2006 to June 1, 2006 be excluded from the time period for preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED:

DATED: May 24, 2006

/s _____
RON TYLER
Attorney for Defendant

DATED: May 23, 2006

/s _____
ROBERT DAVID REES
Assistant United States Attorney

IT IS SO ORDERED.

DATED: May 25, 2006

UNITED STATES DISTRICT COURT
IT IS SO ORDERED
Elizabeth D. Laporte
Judge Elizabeth D. Laporte
United States Magistrate Judge
NORTHERN DISTRICT OF CALIFORNIA